

sure that our free-market economy operates efficiently and serves the public.

Mr. Pate comes before the United States Senate with an impressive track record of public service in the Antitrust Division. In June 2001, he was appointed as the Deputy Assistant Attorney General responsible for Regulatory Matters, and served ably under then Assistant Attorney General Charles James. In November 2002, after Mr. James' departure, Mr. Pate was appointed as Acting Assistant Attorney General for the Antitrust Division. During that time, he has demonstrated his talent and ability to lead the Antitrust Division.

Prior to joining the Justice Department in 2001, Mr. Pate practiced at the distinguished law firm of Hunton & Williams in Richmond, Virginia, where he had a distinguished record in representing both plaintiffs and defendants in a variety of antitrust and business law cases. After graduating first in his class at the University of Virginia Law School in 1987, Mr. Pate went on to clerk for the honorable J. Harvie Wilkinson, at the United States Court of Appeals for the Fourth Circuit, Supreme Court Justice Lewis Powell, and Supreme Court Justice Anthony Kennedy. During his tenure at the firm of Hunton & Williams, Mr. Pate found time to teach at the University of Richmond and University of Virginia Law Schools.

With such an impressive background, both in private practice and in antitrust enforcement, particularly given his proven track record, I am confident that Mr. Pate will be an excellent Assistant Attorney General for the Antitrust Division. I am hopeful that this Senate will act quickly to confirm Mr. Pate's nomination.

Mr. LOTT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. CHAFEE). Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of R. Hewitt Pate, of Virginia, to be an Assistant Attorney General? The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Mississippi (Mr. COCHRAN), the Senator from Wyoming (Mr. ENZI), the Senator from North Carolina (Mrs. DOLE), the Senator from Illinois (Mr. FITZGERALD), the Senator from South Carolina (Mr. GRAHAM), the Senator from Oklahoma (Mr. INHOFE), the Senator from Oklahoma (Mr. NICKLES), the Senator from KANSAS (Mr. ROBERTS), the Senator from Oregon (Mr. SMITH), the Senator from Wyoming (Mr. THOMAS), the Senator from Ohio (Mr. VOINOVICH), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

Mr. REID. I announce that the Senator from Louisiana (Mr. BREAUX), the Senator from Delaware (Mr. CARPER), the Senator from North Dakota (Mr.

DORGAN), the Senator from North Carolina (Mr. EDWARDS), the Senator from Florida (Mr. GRAHAM), the Senator from Iowa (Mr. HARKIN), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Vermont (Mr. JEFFORDS), the Senator from Massachusetts (Mr. KERRY), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Maryland (Ms. MIKULSKI), the Senator from Georgia (Mr. MILLER), the Senator from Washington (Mrs. MURRAY), the Senator from Florida (Mr. NELSON), and the Senator from Nebraska (Mr. NELSON) are necessarily absent.

I also announce that the Senator from Rhode Island (Mr. REED) is absent attending a funeral.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "yea".

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring a vote?

The result was announced—yeas 71, nays 0, as follows:

[Rollcall Vote No. 226 Ex.]

YEAS—71

Akaka	Corzine	Leahy
Alexander	Craig	Levin
Allard	Crapo	Lincoln
Allen	Daschle	Lott
Baucus	Dayton	Lugar
Bayh	DeWine	McCain
Bennett	Dodd	McConnell
Biden	Domenici	Murkowski
Bingaman	Durbin	Pryor
Bond	Ensign	Reid
Boxer	Feingold	Rockefeller
Brownback	Feinstein	Santorum
Bunning	Frist	Sarbanes
Burns	Grassley	Schumer
Byrd	Gregg	Sessions
Campbell	Hagel	Shelby
Cantwell	Hatch	Snowe
Chafee	Hutchison	Specter
Chambliss	Inouye	Stabenow
Clinton	Johnson	Stevens
Coleman	Kennedy	Sununu
Collins	Kohl	Talent
Conrad	Kyl	Wyden
Cornyn	Landrieu	

NOT VOTING—29

Breaux	Harkin	Nelson (FL)
Carper	Hollings	Nelson (NE)
Cochran	Inhofe	Nickles
Dole	Jeffords	Reed
Dorgan	Kerry	Roberts
Edwards	Lautenberg	Smith
Enzi	Lieberman	Thomas
Fitzgerald	Mikulski	Voinovich
Graham (FL)	Miller	Warner
Graham (SC)	Murray	

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

UNANIMOUS CONSENT AGREEMENT—S. 1

Mr. ALEXANDER. MR. President, I ask unanimous consent that at 2 p.m. on Monday, June 16, the Senate proceed to the consideration of S. 1, the Prescription Drug Benefits bill, reported by the Finance Committee; provided further that this order will be vi-

tiated if the bill is not available by that time. I ask consent that on Monday there be debate only with respect to the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. ALEXANDER. I ask unanimous consent there now be a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHANGE OF VOTE

Mr. BAYH. Mr. President, on rollcall vote No. 221 I voted nay. It was my intention to vote yea. Therefore, I ask unanimous consent that I be permitted to change my vote. This will in no way change the outcome of the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

ZIMBABWE

Mr. ALEXANDER. Mr. President, I rise today to bring to the attention of the Senate the oppression of democracy and freedom underway in Zimbabwe. A number of my colleagues, including the Senators from Arizona and Kentucky, have led this body in discussions about oppression in Burma. I share their concerns.

But as Chairman of the Foreign Relations Subcommittee on African Affairs, I would be remiss not to note a struggle in Zimbabwe that bears at least some similarity to events in Burma. As in Burma, the leader of the democratic opposition in Zimbabwe has been imprisoned by an illegitimate government in a cruel attempt to maintain power.

The so-called "President" of Zimbabwe, Robert Mugabe, has engaged in a systematic campaign of intimidation, torture, and terror to oppress opposition to his rule over Zimbabwe. Since the elections of 2000, when Mugabe's ruling party rigged the elections in its favor and terrorized voters for the opposition, Zimbabwe has been thrown into a downward spiral. Youth brigades not unlike the Hitler Youth or Chinese Red Guard roam the streets and invoke terror on those who resist Mugabe's rule. The country's infrastructure, which was fairly good prior to this time, has deteriorated rapidly.

In the last week the situation has grown worse. A little over 1 week ago, for the second time this year, the people of Zimbabwe stood up and said enough is enough. Strikes and work stoppages occurred throughout the country as many citizens engaged in a massive protest of Mugabe's illegitimate regime. Many rightly blame Mugabe not only for political turmoil, but also economic decay, led by fuel and food shortages.